Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449/PTO Complete if Known 10/590,155 (U.S. Nat'l Phase of Application Number FIRST SUPPLEMENTAL PCT/CA2004/001894) Int'l Filing Date October 29, 2004 INFORMATION DISCLOSURE First Named Inventor FARBER, Jonathan STATEMENT BY APPLICANT Art Unit To be assigned (Use as many sheets as necessary) **Examiner Name** To be assigned 1556.0360002/RWE/S-G Attorney Docket Number Sheet of

| Examiner Initials* | Cite No. ¹ | Document Number Number-Kind Code ^{2 (If Known)} | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document |
|-----------------------|--------------------------|---|--------------------------------|--|
| | US8 | 2,558,065 | 06/26/1951 | Tice |
| | US9 | 2,584,307 | 02/05/1952 | Tice |
| | U\$10 | 3,582,359 | 06/01/1971 | Horn et al. |
| | US11 | 3,867,560 | 02/18/1975 | Menzi et al. |
| | US12 | 3,939,001 | 02/17/1976 | Clausi et al. |
| | US13 | 4,224,353 | 09/23/1980 | Kueper et al. |
| | US14 | 4,284,652 | 08/18/1981 | Christensen |
| | US15 | 4,396,604 | 08/02/1983 | Mitra |
| | US16 | 4,396,631 | 08/02/1983 | Adachi et al. |
| | US17 | 4,517,216 | 05/14/1985 | Shim |
| | US18 | 4,545,989 | 10/08/1985 | Becker et al. |
| | US19 | 4,554,169 | 11/19/1985 | Anderson et al. |
| | US20 | 4,582,709 | 04/15/1986 | Peters et al. |
| | US21 | | | |
| | US22 | 4,671,967 | 06/09/1987 | Patel et al. |
| | US23 | 4,684,534 | 08/04/1987 | Valentine |
| | US24 | 4,778,676 | 10/18/1988 | Yang et al. |
| | US25 | 4,780,324 | 10/25/1988 | Knebl and Bodor |
| | US26 | 4,786,521 | 11/22/1988 | Bennett et al. |
| _ | US27 | 4,790,991 | 12/13/1988 | Shaw et al. |

| Examiner Initials* | Cite No.1 | Foreign Patent Document | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document |
|--------------------|--------------|---|--------------------------------|---|
| | | Country Code ³ Number ⁴ Kind Code ⁵ (if known) | | |
| | FP9 | | | |
| | FP10 | JP 57-32221 | 02/20/1982 | Morinaga & Co. Ltd. |
| | FP11 | JP 60-83535 | 05/11/1985 | Sakuma Seika KK |
| | FP12 | EP 0 075 443 B1 | 11/26/1986 | Warner-Lambert Company |
| | FP13 | EP 0 336 894 B1 | 10/11/1989 | Warner-Lambert Company |
| | FP14 | CA 1,286,533 | 07/23/1991 | James E. Eastman |
| | FP15 | WO 91/19692 A2, A3 | 12/26/1991 | The Procter & Gamble Company |
| | FP16 | EP 0 309 464 B1 | 12/09/1992 | Phares Pharmaceutical Research N.V. |
| | FP17 | EP 0 515 864 B1 | 11/29/1995 | Hershey Foods Corporation |

| | | |
|-------------|------------|---|
| Examiner | Date | i |
| Signature | Considered | |

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. 'Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁴ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMR control number

| Substitute | Substitute for form 1449/PTO | | | Complete if Known | | |
|-----------------------------------|--|------|-------------------|------------------------|--|--|
| FIRST | SUP | PLEN | IENTAL | Application Number | 10/590,155 (U.S. Nat'l Phase of PCT/CA2004/001894) | |
| INFORMATION DISCLOSURE | | | | Int'l Filing Date | October 29, 2004 | |
| | | | | First Named Inventor | FARBER, Jonathan | |
| SIAII | STATEMENT BY APPLICANT (Use as many sheets as necessary) | | | Art Unit | To be assigned | |
| (Ose as many sneeds as necessary) | | | eis us necessury) | Examiner Name | To be assigned | |
| Sheet | 2 | of | 7 | Attorney Docket Number | 1556.0360002/RWE/S-G | |

| Examiner Initials* | Cite No. ¹ | Document Number Number-Kind Code ^{2 (IFKnown)} | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document |
|---------------------------------------|--------------------------|---|--------------------------------|--|
| | US28 | 4,797,288 | 01/10/1989 | Sharma et al. |
| | US29 | 4,869,916 | 09/26/1989 | Clark et al. |
| | US30 | 4,876,105 | 10/24/1989 | Wolf et al. |
| | US31 | 4,879,108 | 11/07/1989 | Yang et al. |
| | US32 | 4,882,151 | 11/21/1989 | Yang et al. |
| | US33 | 4,882,152 | 11/21/1989 | Yang et al. |
| | US34 | 4,882,153 | 11/21/1989 | Yang et al. |
| | US35 | 4,882,154 | 11/21/1989 | Yang et al. |
| | US36 | 4,882,155 | 11/21/1989 | Yang et al. |
| | US37 | 4,882,156 | 11/21/1989 | Yang et al. |
| | US38 | 4,882,157 | 11/21/1989 | Yang et al. |
| | US39 | 4,882,158 | 11/21/1989 | Yang et al. |
| | US40 | 4,882,159 | 11/21/1989 | Yang et al. |
| | US41 | 4,882,160 | 11/21/1989 | Yang et al. |
| | US42 | 4,950,689 | 08/21/1990 | Yang et al. |
| | US43 | 4,963,359 | 10/16/1990 | Haslwanter et al. |
| | US44 | 5,320,848 | 06/14/1994 | Geyer and Tuliani |
| · · · · · · · · · · · · · · · · · · · | US45 | 5,071,643 | 12/10/1991 | Yu et al. |
| | US46 | 5,122,377 | 06/16/1992 | Miller et al. |
| | US47 | 5,328,711 | 07/12/1994 | Coleman et al. |

| Examiner Initials* | Cite No. ¹ | Foreign Patent Document Country Code ³ Number ⁴ Kind Code ⁵ (if known) | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document |
|-----------------------|--------------------------|--|--------------------------------|--|
| | FP18 | EP 0 704 164 A2, A3 | 04/03/1996 | Fuji Oil Co., Ltd. |
| | FP19 | EP 0 702 954 B1 | 03/27/1996 | American Cyanamid Company |
| | FP20 | EP 0 757 895 A2, A3 | 02/12/1997 | Hercules Incorporated |
| | FP21 | WO 98/20860 | 05/22/1998 | FMC Corporation |
| | FP22 | WO 98/23292 | 06/04/1998 | Monsanto Company |
| | FP23 | DE 198 30 528 A1 | 07/01/1999 | Merck Patent GmbH |
| | FP24 | JP 11-308966 | 11/09/1999 | Sakuma Seika KK |
| | FP25 | EP 0 904 784 A1 | 03/31/1999 | N.V. Nutricia |
| | FP26 | | | |

| Examiner | Da | ate |
|-----------|----|-----------|
| Signature | Co | onsidered |

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. 'Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

| Substitute | Substitute for form 1449/PTO | | | Complete if Known | | |
|-----------------------------------|------------------------------|------|-------------------|------------------------|--|--|
| FIRST | SUP | PLEN | MENTAL | Application Number | 10/590,155 (U.S. Nat'l Phase of PCT/CA2004/001894) | |
| INFORMATION DISCLOSURE | | | | Int'l Filing Date | October 29, 2004 | |
| | | | APPLICANT | First Named Inventor | FARBER, Jonathan | |
| SIAI | | | | Art Unit | To be assigned | |
| (Use as many sheets as necessary) | | | eis as necessary) | Examiner Name | To be assigned | |
| Sheet | 3 | of | 7 | Attorney Docket Number | 1556.0360002/RWE/S-G | |

| Examiner | Cite | Document Number | Publication Date | Name of Patentee or |
|-----------|------|--|------------------|-----------------------------|
| Initials* | No. | Number-Kind Code ^{2 (If Known)} | MM-DD-YYYY | Applicant of Cited Document |
| | US48 | 5,397,786 | 03/14/1995 | Simone |
| | US49 | 5,576,316 | 11/19/1996 | Cohn |
| | US50 | 5,616,340 | 04/01/1997 | Ells and Luber |
| | US51 | 5,626,896 | 05/06/1997 | Moore et al. |
| | US52 | 5,637,313 | 06/10/1997 | Chau et al. |
| | US53 | 5,648,092 | 07/15/1997 | Weckenmann et al. |
| | US54 | 5,698,222 | 12/16/1997 | Mazer et al. |
| | US55 | 5,744,161 | 04/28/1998 | Majeed et al. |
| | US56 | 5,753,255 | 05/19/1998 | Chavkin and Mackles |
| | US57 | 5,773,473 | 06/30/1998 | Green et al. |
| | US58 | 5,817,323 | 10/06/1998 | Hutchinson et al. |
| | US59 | 5,817,351 | 10/06/1998 | DeWille et al. |
| | US60 | 5,876,781 | 03/02/1999 | Lasdon et al. |
| | US61 | 5,897,897 | 04/27/1999 | Porzio et al. |
| | US62 | 5,902,606 | 05/11/1999 | Wunderlich et al. |
| | US63 | 5,908,864 | 06/01/1999 | Casey |
| | US64 | 5,925,378 | 07/20/1999 | Carnazzo |
| | US65 | | | |
| | US66 | 5,932,273 | 08/03/1999 | Yasui |
| | US67 | 5,935,634 | 08/10/1999 | Gamay et al. |

| Examiner Initials* | Cite No. ¹ | Foreign Patent Document Country Code ³ Number ⁴ Kind Code ⁵ (if known) | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document |
|-----------------------|--------------------------|--|--------------------------------|--|
| | FP27 | WO 00/16743 | 03/30/2000 | Drug Delivery Systems, Inc. |
| | FP28 | WO 00/74500 A1 | 12/14/2000 | The Howard Foundation |
| | FP29 | WO 00/13680 A2, A3 | 03/16/2000 | Quadrant Holdings Cambridge Limited |
| | FP30 | EP 1 074 183 A2, A3 | 02/07/2001 | Snow Brand Milk Products, Co., Ltd. |
| | FP31 | EP 1 104 652 A1 | 06/06/2001 | Société des Produits Nestlé S.A. |
| | FP32 | WO 01/70238 A1 | 09/27/2001 | North Shore-Long Island Jewish Research Institute |
| | FP33 | | | |
| | FP34 | WO 02/00033 A1 | 01/03/2002 | Société des Produits Nestlé S.A. |
| | FP35 | WO 02/00182 A2, A3 | 01/03/2002 | The Procter & Gamble Company |

| Examiner | Date | |
|-----------|------------|--|
| Signature | Considered | |

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. 'Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document, ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached

English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

| Substitute for form 1449/PTO | | Complete if Known | | | |
|-----------------------------------|-----|-------------------|--------------------|------------------------|---|
| FIRST | SUF | PLEN | //ENTAL | Application Number | 10/590,155 (U.S. Nat'l Phase of PCT/CA2004/001894) |
| INFORMATION DISCLOSURE | | Int'l Filing Date | October 29, 2004 | | |
| | | | APPLICANT | First Named Inventor | FARBER, Jonathan |
| SIAII | | | | Art Unit | To be assigned |
| (Use as many sheets as necessary) | | | teis us necessary) | Examiner Name | To be assigned |
| Sheet | 4 | of | 7 | Attorney Docket Number | 1556.0360002/RWE/S-G |

| Examiner Initials | Cite No.1 | Document Number Number-Kind Code ^{2 (Ir Known)} | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | | |
|----------------------|--------------|---|--------------------------------|--|--|--|
| | US68 | 5,968,544 | 10/19/1999 | Howard et al. | | |
| | US69 | 5,968,900 | 10/19/1999 | Greenhaff et al. | | |
| | US70 | 5,973,005 | 10/26/1999 | D'Amelio, Sr. et al. | | |
| | US71 | 6,056,971 | 05/02/2000 | Goldman | | |
| | US72 | 6,077,524 | 06/20/2000 | Bolder and Imer | | |
| | US73 | 6,077,557 | 06/20/2000 | Gordon et al. | | |
| | US74 | 6,114,379 | 09/05/2000 | Wheelwright et al. | | |
| | US75 | 6,136,339 | 10/24/2000 | Gardiner | | |
| , | US76 | 6,153,249 | 11/28/2000 | Gamay et al. | | |
| | US77 | 6,172,114 | 01/09/2001 | McCabe | | |
| | US78 | 6,203,823 | 03/20/2001 | McCarty | | |
| | US79 | 6,242,019 B1 | 06/05/2001 | Bell et al. | | |
| | US80 | 6,258,380 B1 | 07/10/2001 | Overholt | | |
| | US81 | 6,274,161 | 08/14/2001 | Howard et al. | | |
| - | US82 | 6,340,473 B1 | 01/22/2002 | Tanner et al. | | |
| | US83 | 6,337,082 | 01/08/2002 | Fuisz et al. | | |
| | US84 | 6,337,091 | 01/08/2002 | Kim et al. Christensen | | |
| | US85 | 6,387,381 B2 | 05/14/2002 | | | |
| | US86 | 6,391,371 | 05/21/2002 | Bhatia et al. | | |
| | US87 | 6,432,442 | 08/13/2002 | Buehler et al. | | |

| Examiner Initials* | Cite No. ¹ | Foreign Patent Document Country Code ³ Number ⁴ Kind Code ⁵ (if known) | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document |
|-----------------------|--------------------------|---|--------------------------------|---|
| | FP36 | EP 0 931 543 B1 | 03/20/2002 | Merck Patent GmbH |
| | FP37 | WO 02/41702 A2, A3 | 05/30/2002 | Société des Produits Nestlé S.A. |
| | FP38 | EP 1 117 304 B1 | 07/10/2002 | Société des Produits Nestlé S.A. |
| | FP39 | WO 02/067903 A2, A3 | 09/06/2002 | Cephalon, Inc. |
| | FP40 | | | |
| | FP41 | EP 1 128 735 B1 | 03/26/2003 | Warner-Lambert Company |
| | FP42 | | | |
| | FP43 | | | |
| | FP44 | WO 03/026614 A1 | 04/03/2003 | McNeil-PPC, Inc. |

| Examiner | Date | |
|-----------|------------|--|
| Signature | Considered | |

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. 'Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3), ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number

| Substitute | for form | 1449/PT | 0 | Complete | Complete if Known | | |
|------------|-----------------------------------|---------|------------|------------------------|---|--|--|
| FIRST | SUP | PLEN | MENTAL | Application Number | 10/590,155 (U.S. Nat'l Phase of PCT/CA2004/001894) | | |
| | | | DISCLOSURE | Int'l Filing Date | October 29, 2004 | | |
| | | | APPLICANT | First Named Inventor | FARBER, Jonathan | | |
| | | | | Art Unit | To be assigned | | |
| | (Use as many sheets as necessary) | | | Examiner Name | To be assigned | | |
| Sheet | 5 | of | 7 | Attorney Docket Number | 1556.0360002/RWE/S-G | | |

| Examiner | Cite | Document Number | Publication Date | Name of Patentee or |
|-----------|-------|--|------------------|-----------------------------|
| Initials* | No.1 | Number-Kind Code ^{2 (If Known)} | MM-DD-YYYY | Applicant of Cited Document |
| | US88 | 6,432,460 | 08/13/2002 | Zietlow et al. |
| | US89 | 6,436,446 | 08/20/2002 | Forusz et al. |
| | US90 | 6,455,068 | 09/24/2002 | Licari |
| | US91 | 6,458,395 | 10/01/2002 | Emoto |
| | US92 | 6,482,462 | 11/19/2002 | De Kezel et al. |
| | US93 | 6,482,465 B1 | 11/19/2002 | Cherukuri et al. |
| | US94 | 6,485,738 B1 | 11/26/2002 | Huang et al. |
| | US95 | 6,500,463 | 12/31/2002 | van Lengerich |
| | US96 | 6,517,886 | 02/11/2003 | Chau et al. |
| | US97 | 6,524,611 B2 | 02/25/2003 | Howard and Harris |
| | US98 | 6,528,104 | 03/04/2003 | Jindra et al. |
| | US99 | 6,528,542 B2 | 03/04/2003 | DeLuca |
| | US100 | 6,531,171 | 03/11/2003 | Armand et al. |
| | US101 | 6,555,132 | 04/29/2003 | Brox et al. |
| | US102 | 6,569,477 | 05/27/2003 | Lederman |
| | US103 | 6,576,253 B2 | 06/10/2003 | Manning et al. |
| | US104 | 6,582,708 | 06/24/2003 | Sagel et al. |
| | US105 | 6,582,722 | 06/24/2003 | Clark et al. |
| | US106 | 6,592,926 | 07/15/2003 | Ong et al. |
| | US107 | 6,596,334 | 07/22/2003 | Flickinger et al. |

| Examiner | Cite | Foreign Patent Document | Publication Date | Name of Patentee or |
|-----------|------|--|------------------|------------------------------|
| Initials* | No.1 | Country Code ³ Number ⁴ Kind Code ⁵ (if known) | MM-DD-YYYY | Applicant of Cited Document |
| | FP45 | EP 0 950 402 B1 | 05/14/2003 | McNeil-PPC, Inc. |
| | FP46 | WO 03/061565 A2, A3 | 07/31/2003 | Milkhaus Laboratory, Inc. |
| | FP47 | EP 1 340 428 A2, A3 | 09/03/2003 | Bristol-Myers Squibb Company |
| | FP48 | EP 1 003 382 B1 | 09/24/2003 | Cadbury Adams USA LLC |
| | FP49 | WO 03/090726 A2, A3 | 11/06/2003 | Banner Pharmacaps, Inc. |
| | FP50 | EP 0 583 378 B1 | 11/12/2003 | The Procter & Gamble Company |
| | FP51 | EP 0 888 067 B1 | 12/03/2003 | Nienaber et al. |
| | FP52 | JP 59-51734 | 03/26/1984 | Chiba Seifun K.K. |
| | FP53 | EP 0 669 083 B1 | 04/28/1999 | Sueoka |

| Examiner | Date | |
|-----------|------------|--|
| Signature | Considered | |

^{*}EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. 'Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁴ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

Engish language translation is attached.
This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number

| Substitute | for form | 1449/PT0 | 0 | Complete | Complete if Known | | |
|------------|-----------------------------------|----------|------------|------------------------|---|--|--|
| FIRST | SUP | PLEN | MENTAL | Application Number | 10/590,155 (U.S. Nat'l Phase of PCT/CA2004/001894) | | |
| | | | DISCLOSURE | Int'l Filing Date | October 29, 2004 | | |
| | | | APPLICANT | First Named Inventor | FARBER, Jonathan | | |
| SIAII | | | | Art Unit | To be assigned | | |
| | (Use as many sheets as necessary) | | | Examiner Name | To be assigned | | |
| Sheet | 6 | of | 7 | Attorney Docket Number | 1556.0360002/RWE/S-G | | |

| Examiner Initials* | Cite No. ¹ | Document Number Number-Kind Code ^{2 (If Known)} | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document |
|-----------------------|--------------------------|---|--------------------------------|---|
| | US108 | 6,602,518 | 08/05/2003 | Seielstad et al. |
| | US109 | 6,610,348 | 08/26/2003 | Beyer et al. |
| | US110 | 6,627,220 | 09/30/2003 | Turner et al. |
| | US111 | 6,645,535 | 11/11/2003 | Zyck et al. |
| | US112 | 6,649,191 | 11/18/2003 | Tester et al. |
| , | US113 | 6,669,977 | 12/30/2003 | Loh et al. |
| | US114 | 6,673,380 | 01/06/2004 | Yang et al. |
| | US115 | 6,723,358 | 04/20/2004 | Van Lengerich |
| | US116 | 2001/0036464 A1 | 11/01/2001 | Christensen |
| | US117 | 2001/0042936 | 11/22/2001 | Kessel et al. |
| | US118 | 2001/0048965 | 12/06/2001 | Cherukuri |
| | US119 | 2002/0001611 | 01/03/2002 | Howard et al. |
| | US120 | 2002/0058097 | 05/16/2002 | Beyer et al. |
| | US121 | 2002/0076478 | 06/20/2002 | Grazela et al. |
| | US122 | 2002/0197323 | 12/26/2002 | Cherukuri et al. |
| | US123 | 2002/0197357 | 12/26/2002 | Pfeiffer |
| | US124 | 2003/0017241 A1 | 01/23/2003 | Armand et al. |
| | US125 | 2003/0021881 | 01/30/2003 | Friedman . |
| | US126 | 2003/0026826 | 02/06/2003 | Cherukuri et al. |
| | US127 | 2003/0118695 A1 | 06/26/2003 | Castenmiller |

| Examiner | Cite | Foreign Patent Document | Publication Date | Name of Patentee or | |
|-----------|------|--|------------------|---|--|
| Initials* | No.¹ | Country Code ³ Number ⁴ Kind Code ⁵ (if known) | MM-DD-YYYY | Applicant of Cited Document | |
| | FP54 | | | | |
| | FP55 | | | | |
| | FP56 | WO 98/53704 A1 | 12/03/1998 | Kellogg Company | |
| | FP57 | | | | |
| | FP58 | WO 01/28360 A1 | 04/26/2001 | Marathade Limited | |
| | FP59 | WO 02/22135 A1 | 03/21/2002 | Board of Reagents of the University of Nebraska | |
| | | | | | |
| | | | | | |
| | | | | | |
| | J | | | | |

| | · · · · · · · · · · · · · · · · · · · | | |
|-----------|---------------------------------------|------------|--|
| Examiner | | Date | |
| Signature | | Considered | |

^{*}EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. 'Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Under the Panerwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number

| | Chack the Faperwork reduction Act of 1999, the persons are required to respond to a concentral transfer and action of the control of the cont | | | | | | |
|--|--|---------|------------|------------------------|---|--|--|
| Substitute | for form | 1449/PT | 0 | Complete if Known | | | |
| FIRST | SUF | PLEN | MENTAL | Application Number | 10/590,155 (U.S. Nat'l Phase of PCT/CA2004/001894) | | |
| INFO | RMAT | ION I | DISCLOSURE | Int'l Filing Date | October 29, 2004 | | |
| | | | | First Named Inventor | FARBER, Jonathan | | |
| STATEMENT BY APPLICANT (Use as many sheets as necessary) | | | | Art Unit | To be assigned | | |
| | | | | Examiner Name | To be assigned | | |
| Sheet | 7 | of | 7 | Attorney Docket Number | 1556.0360002/RWE/S-G | | |

| Examiner | Cite | Document Number | Publication Date | Name of Patentee or | |
|-----------|------------------|--|------------------|-----------------------------|--|
| Initials* | No. ¹ | Number-Kind Code ^{2 (If Known)} | MM-DD-YYYY | Applicant of Cited Document | |
| | US128 | 2003/0138543 | 07/24/2003 | Bahoshy | |
| | US129 | 2003/0194423 | 10/16/2003 | Torney et al. | |
| | US130 | 2003/0228347 A1 | 12/11/2003 | Clark and Clark | |
| | US131 | 2003/0228368 | 12/11/2003 | Wynn et al. | |
| | US132 | 2004/0001873 A1 | 01/01/2004 | Base et al. | |
| | US133 | 2004/0013732 A1 | 01/22/2004 | Farber and Farber | |
| | US134 | 2004/0013743 | 01/22/2004 | Jackson | |
| | US135 | 2007/0292517 A1 | 12/20/2007 | Farber | |
| | US136 | 2004/0237663 A1 | 12/02/2004 | Farber and Farber | |
| | US137 | 4,861,105 | 08/29/1989 | Merten et al. | |
| | US138 | 5,015,628 | 05/14/1991 | Reynolds | |
| | US139 | 6,235,318 | 05/22/2001 | Lombardy, Jr. et al. | |
| | US140 | 6,242,490 | 06/05/2001 | Anelli et al. | |
| | US141 | 6,254,886 | 07/03/2001 | Fusca et al. | |
| | US142 | 7,067,150 | 06/13/2003 | Farber and Farber | |
| | US143 | 2005/0208141 A1 | 09/22/2005 | Farber and Farber | |
| | US144 | 2007/0190153 A1 | 08/16/2007 | Farber | |
| | US145 | 2007/0196496 A1 | 08/23/2007 | Farber and Farber | |
| | US146 | 2004/0052852 A1 | 03/18/2004 | Farber and Farber | |
| · | | | | | |

| Examiner Initials* | Cite No. ¹ | Foreign Patent Document Country Code ³ Number ⁴ Kind Code ⁵ (if known) | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document |
|-----------------------|--------------------------|---|--------------------------------|--|
| : | | | • | |
| | | | | |
| | - | , | | |
| | | | | |
| | | | | |
| | | | | |

765148_1.DOC

| Examiner | Date | |
|-----------|------------|--|
| Signature | Considered | |

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

^{*}EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. 'Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁴ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

| Substitute for | form 1449/PT0 | Э | | Complete if Known | | |
|---|---------------|---------|--------------|------------------------|---|--|
| FIRST S | UPPLEN | /ENT | Γ A L | Application Number | 10/590,155 (U.S. Nat'l Phase of PCT/CA2004/001894) | |
| | | | | Int'l Filing Date | October 29, 2004 | |
| INFORMATION DISCLOSURE STATEMENT BY APPLICANT | | | | First Named Inventor | FARBER, Jonathan | |
| (Use as many sheets as necessary) | | | | Art Unit | To be assigned | |
| | (Ose us many. | meers u | s necessury | Examiner Name | To be assigned | |
| Sheet | 1 | of | 6 | Attorney Docket Number | 1556.0360002/RWE/S-G | |

| Examiner Initials* | Cite No. ¹ | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published |
|-----------------------|--------------------------|---|
| | NPL3 | Accession No. 1984-111114[18], "Ice glazing agent for coating fish before freezing - contains gelatin, xanthum gum, polysaccharide, alcohol and malt syrup," English language abstract for Japanese Patent Publication No. JP 59-051734, (1984) |
| | NPL4 | Accession No. 1993-173388[21], "Gelatin-free marshmallows - comprise gellan gum as substitute for gelatin, opt. Modified and refined by adding propylene glycol alginate, and sorbitol," English language abstract for Bell, V.L., et al., Research Disclosures 348: no. 085 (1993) |
| | NPL5 | Allen, Jr., L.V., "Formulations for Pediatric Chewable Gummy Gel Base, Pediatric Chocolate Troche Base and Pediatric Chewable Gummy Gels," <i>International Journal of Pharmaceutical Compounding 1</i> :106-107, IJPC, USA (March/April 1997) |
| | NPL6 | International Preliminary Examination Report for International Patent Application No. PCT/CA02/001441, European Patent Office, Munich, Germany, mailed December 30, 2003 |
| | NPL7 | Bennion, M., <i>The Science Of Food</i> , Woods, J., and Shepherd, E., eds., Harper & Row Publishers, San Francisco, CA, pp. 292-293 (1980) |
| | NPL8 | Burg, J.C., "Generating Yummy Gummies," Food Product Design, Design Elements, 12 pages, Weeks Publishing Co., Northbrook, IL (May 1998) available at http://www.foodproductdesign.com/archive/1998/0598DE.html , accessed December 4, 2003 |
| | NPL9 | deMan, J.M., Principles of Food Chemistry, Second Edition, pp. 25, 26, 447-449, and 469, Van Nostrand Reinhold, NY (1990) |
| | NPL10 | Goodman & Gilman's The Pharmacological Basis of Therapeutics, Tenth Edition, McGraw Hill Medical Publishing Division, NY, p. 6 (2001) |
| | NPL11 | Handbook of Pharmaceutical Excipients, Fourth Edition, Rowe, R.C., et al., eds., Pharmaceutical Press, London, UK, pp. 521-523 (May 2003) |
| | NPL12 | Hegenbart, S., "Exploring Dimensions in Intermediate Moisture Foods," <i>Food Product Design</i> , 11 pages, Weeks Publishing Company, Northbrook, IL (1993) available at http://www.foodproductdesign.com/archive/1993/0793CS.html , accessed May 15, 2007 |

| | | |
|-----------|------------|---|
| Examiner | Date | |
| Signature | Considered | i |
| _ | | |

^{*}EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and

^{*}EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Applicant's unique citation designation number (optional). Applicant is to place a check mark here if English language Translation is attached. This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case, how comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

on of information unless it contains a valid OMB control number Under the Panerwork Reduction Act of 1995, no persons are required to res-

| Substitute for | form 1449/PT | O | | Co. | Complete if Known | | |
|--|--------------|------------------|--------|------------------------|--|--|--|
| FIRST S | UPPLE | ΛΕΝ ⁻ | ΓAL | Application Number | 10/590,155 (U.S. Nat'l Phase of PCT/CA2004/001894) | | |
| | | | LOSURE | Int'l Filing Date | October 29, 2004 | | |
| | | | | First Named Inventor | FARBER, Jonathan | | |
| STATEMENT BY APPLICANT (Use as many sheets as necessary) | | | | Art Unit | To be assigned | | |
| | | | | Examiner Name | To be assigned | | |
| Sheet | 2 | of | 6 | Attorney Docket Number | 1556.0360002/RWE/S-G | | |

| Examiner Initials* | Cite No.1 | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume number, publisher, city and/or country where published |
|-----------------------|--------------|--|
| | NPL13 | Institute of Medicine and the Standing Committee on the Scientific Evaluation of Dietary Reference Intakes, "Dietary Reference Intakes for Energy, Carbohydrate, Fiber, Fat, Fatty Acids, Cholesterol, Protein, and Amino Acids (Macronutrients)," National Academies Press, Washington, DC, pp. 342-347 (December 2002) |
| | NPL14 | Kaur, N. & Gupta, A.K., "Applications of inulin and oligofructose in health and nutrition," J. Biosci. 27:703-714, Indian Academy of Sciences, Bangalore, IN (2002) |
| | NPL15 | Kuntz, L.A., "Sweeteners in Confections" Food Product Design, Design Elements, 7 pages, Weeks Publishing Co., Northbrook, IL (February 1993) available at: http://www.foodproductdesign.com/archive/1993/0293DE.html , accessed December 4, 2003 |
| | NPL16 | National Dairy Council, "Health-Enhancing Properties of Dairy Ingredients," <i>Dairy Council Digest 72</i> :7-12, The National Dairy Council, Diary Council Digest, Rosemount, IL (March/April 2001) |
| | NPL17 | "Pharmaceutical Dosage Forms," in <i>United States Pharmacopeia</i> , 20th Edition, United States Pharmacopeial, USA pp. 1029-30 |
| | NPL18 | Royal Pharmaceutical Society of Great Britain, "Information Sheet 4, Lozenges and Pastilles. Prolonged Medication from Palatable Preparations," 2 pages, Museum of the Royal Pharmaceutical Society of Great Britain, P.G. Homan, FRPharmSMCPP 2002, London, UK (2002) |
| | NPL19 | Schmidl, M.K., and Labuza, T.P., "Medical Foods," Food Tech 46:87-96, Institute of Food Technologists, Chicago, IL (1992) |
| | NPL20 | School of Pharmacy, University of North Carolina at Chapel Hill, Pharmaceuticals Laboratories Homepage (1 page), List of Compounding Exercises (2 pages) and Lozenge and Medication Sticks Exercise (6 pages), available at: http://www.pharmlabs.unc.edu , accessed May 13, 2004 |
| | NPL21 | Smith, K.T., et al., "Calcium Absorption form a New Calcium Delivery System (CCM)," Calcified Tissue International 41:351-352, Springer Verlag, NY (1987) |
| | NPL22 | "Softgel Manufacturing Process," CapPlus Technologies Softgel Manufacturing Process, 3 pages, available online at http://www.capplustech.com/softgel_manufacturing_process.htm, accessed October 5, 2005 |

| | | | |
|-----------|--|------------|--|
| Examiner | <u>. </u> | Date | |
| Signature | | Considered | |

^{*}EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and

^{*}EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Applicant's unique citation designation number (optional). Applicant is to place a check mark here if English language Translation is attached. This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

| Substitute for | form 1449/P | го | | Complete if Known | | |
|-----------------------------------|-------------|-----------|--------|------------------------|---|--|
| FIRST S | UPPLE | MEN1 | ΓAL | Application Number | 10/590,155 (U.S. Nat'l Phase of PCT/CA2004/001894) | |
| INFORM | IATION | DISC | LOSURE | Int'l Filing Date | October 29, 2004 | |
| STATEMENT BY APPLICANT | | | | First Named Inventor | FARBER, Jonathan | |
| (Use as many sheets as necessary) | | | | Art Unit | To be assigned | |
| | (occ man) | 22010 11. | | Examiner Name | To be assigned | |
| Sheet | 3 | of | 6 | Attorney Docket Number | 1556.0360002/RWE/S-G | |

| Examiner Initials* | Cite No. ¹ | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume number, publisher, city and/or country where published |
|-----------------------|--------------------------|---|
| | NPL23 | Stanley, J.P., "Part Two. Soft Gelatin Capsules," in <i>The Theory and Practice of Industrial Pharmacy</i> , Lachman, L., <i>et al.</i> , eds., Lea & Febiger, Philadelphia, PA, pp. 398-412 (1986) |
| | NPL24 | English Abstract for Japanese Patent Publication No. JP 59-051734, 2 pages, published March 26, 1984 |
| | NPL25 | Curriculum Vitae of Dr. Theodore P. Labuza, 47 pages (2003) |
| | NPL26 | Written Opinion for International Patent Application No. PCT/CA03/00411, European Patent Office, Rijswijk, Netherlands, mailed on January 30, 2004 |
| | NPL27 | International Search Report for International Patent Application No. PCT/CA03/00411, European Patent Office, Rijswijk, Netherlands, mailed on August 7, 2003 |
| | NPL28 | Portions of U.S. Patent No. 6,235,318, Lombardy, Jr. et al., 4 pages, patented May 22, 2001, available at: http://www.pharmcast.com/patents , accessed December 4, 2003 |
| | NPL29 | Copy of Office Action for U.S. Patent Application No. 10/297,983, Farber, M. and Farber, J., filed April 10, 2003, mailed February 1, 2005 |
| | NPL30 | Copy of Office Action for abandoned U.S. Patent Application No. 10/297,983, Farber, M. and Farber, J., filed April 10, 2003, mailed February 16, 2006 |
| | NPL31 | Copy of Office Action for U.S. Patent Application No. 10/416,547, filed June 13, 2003, issued June 27, 2006, as 7,067,150 B2, Farber, M. and Farber, J., Office Action mailed May 26, 2005 |
| | NPL32 | Copy of Office Action for U.S. Patent Application No. 10/416,547, filed June 13, 2003, issued June 27, 2006, as 7,067,150 B2, Farber, M. and Farber, J., Office Action mailed September 21, 2005 |

| Examiner | Date | |
|-----------|------------|--|
| Signature | Considered | |

^{*}EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Applicant's unique citation designation number (optional). Applicant is to place a check mark here if English language Translation is attached. This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Equivalent of Form PTO/SB/08B (04-07) Approved for use through 09/30/2007. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE pond to a collection of information unless it contains a valid OMB control number.

| Substitute for form 1449/PTO | | | | Complete if Known | | |
|--|-------|------------------|--------------|------------------------|--|--|
| FIRST S | UPPLE | MEN ⁻ | ΓAL | Application Number | 10/590,155 (U.S. Nat'l Phase of PCT/CA2004/001894) | |
| | | | LOSURE | Int'l Filing Date | October 29, 2004 | |
| | | | | First Named Inventor | FARBER, Jonathan | |
| STATEMENT BY APPLICANT (Use as many sheets as necessary) | | | | Art Unit | To be assigned | |
| (Ose its many sheets its necessary) | | | s necessary) | Examiner Name | To be assigned | |
| Sheet | 4 | of | 6 | Attorney Docket Number | 1556.0360002/RWE/S-G | |

| Examiner Initials* | Cite No. ¹ | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume number, publisher, city and/or country where published |
|-----------------------|--------------------------|---|
| | NPL33 | Copy of Office Action for U.S. Patent Application No. 10/416,547, filed June 13, 2003, issued June 27, 2006, as 7,067,150 B2, Farber, M. and Farber, J., Office Action mailed November 17, 2005 |
| | NPL34 | Copy of Office Action for U.S. Patent Application No. 10/416,547, filed June 13, 2003, issued June 27, 2006, as 7,067,150 B2, Farber, M. and Farber, J., Office Action mailed January 26, 2006 |
| | NPL35 | Copy of Office Action for U.S. Patent Application No. 10/416,815, Farber, M. and Farber, J., filed September 29, 2003, mailed June 17, 2005 |
| | NPL36 | Copy of Office Action for U.S. Application No. 10/416,815, Farber, M. and Farber, J., filed on September 29, 2003, mailed on November 17, 2005 |
| | NPL37 | Copy of Office Action for U.S. Patent Application No. 10/416,815, Farber, M. and Farber, J., filed September 29, 2003, mailed May 4, 2006 |
| | NPL38 | Copy of Office Action for U.S. Patent Application No. 10/416,815, filed September 29, 2003, Farber, M. and Farber, J., mailed May 30, 2007 |
| | NPL39 | Copy of Office Action for U.S. Patent Application No. 11/110,848, filed April 21, 2005, Farber, M. and Farber, J., mailed September 21, 2005 |
| | NPL40 | Copy of Office Action for U.S. Patent Application No. 11/110,848, filed April 21, 2005, Farber, M. and Farber, J., mailed December 15, 2005 |
| | NPL41 | Copy of Office Action for U.S. Patent Application No. 11/110,848, filed April 31, 2005, Farber, M. and Farber, J., mailed January 26, 2007 |
| | NPL42 | English Abstract for Japanese Patent Publication No. JP 57-32221, 1 page, published February 20, 1982, Japan Patent Office |

| Examiner | Date | |
|-----------|------------|--|
| Signature | Considered | |

^{*}EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Applicant's unique citation designation number (optional). Applicant is to place a check mark here if English language Translation is attached. This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Equivalent of Form PTO/SB/08B (04-07) Approved for use through 09/30/2007. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE cond to a collection of information unless it contains a valid OMB control number.

| | | | 1 Act of 1995, no per | sons are required | o respond to a collection | on of information unless it contains a valid OMI | 3 control number | | |
|---|--------------------------|---|--|------------------------------------|---------------------------|---|------------------|--|--|
| Substitute for form 1449/PTO | | | | | Complete if Known | | | | |
| FIRST S | SUPPLE | MENTA | ۸L | Applio | ation Number | 10/590,155 (U.S. Nat'l Phas PCT/CA2004/001894) | e of | | |
| INFORMATION DISCLOSURE STATEMENT BY APPLICANT | | | | | ling Date | October 29, 2004 | | | |
| | | | | | lamed Inventor | FARBER, Jonathan | | | |
| JIAIL | | ıy sheets as n | | Art Uı | nit | To be assigned | | | |
| | (| , | ,, | Exami | ner Name | To be assigned | | | |
| Sheet | 5 | of | 6 | Attorn | ey Docket Numb | er 1556.0360002/RWE/S-G | | | |
| Examiner Initials* | Cite No. ¹ | | | urnal, serial, sy | | itle of the article (when appropriate), g, etc.), date, page(s), volume number nere published | | | |
| | NPL43 | | anguage abstra 1985, Europea | | | cation No. JP 60-83535, 1 page, p | ublished | | |
| | NPL44 | | English language abstract for Japanese Patent Publication No. JP 11-308966, 2 pages, published November 9, 1999, Japan Patent Office | | | | | | |
| | NPL45 | English language abstract for German Patent Publication No. DE 19830528 and European Patent Publication No. EP 0 931 543 B1, Dialog File 351, Accession No. 12566349, Derwent Information Ltd. (March 2002) | | | | | | | |
| International Preliminary Examination Report for International Patent Appl PCT/CA03/00411, European Patent Office, Rijswijk, Netherlands, mailed of 2004 Copy of Office Action from U.S. Application No. 10/297,983, filed April 1 and Farber, J., mailed November 2, 2005 | | | | | | | | | |
| | | | | 0/297,983, filed April 10, 2003, F | arber, M. | | | | |
| | NPL48 | Copy of Office Action for U.S. Patent Application No. 10/416,815, filed September 29, 2003, Farber, M. and Farber, J., mailed December 12, 2007 | | | | | | | |
| | NPL49 | | , | | | | | | |
| | NPL50 | | | | | | | | |
| NPL51 Labuza, T.P., Curriculum Vitae, Department of Food Science and Nutrition Minnesota, St. Paul, MN, 47 pages (Revised February 2003) | | | | | ty of | | | | |
| | NPL52 | | , L.D., "Health onal Dairy Cou | | | iry Ingredients," <i>Dairy Council D</i> |)igest 72:7- | | |

| Examiner | Date | |
|-----------|------------|---|
| Signature | Considered | · |

^{*}EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Applicant's unique citation designation number (optional). Applicant is to place a check mark here if English language Translation is attached. This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

| Substitute for form 1449/PTO | Complete if Known | | |
|-----------------------------------|------------------------|--|--|
| FIRST SUPPLEMENTAL | Application Number | 10/590,155 (U.S. Nat'l Phase of PCT/CA2004/001894) | |
| INFORMATION DISCLOSURE | Int'l Filing Date | October 29, 2004 | |
| STATEMENT BY APPLICANT | First Named Inventor | FARBER, Jonathan | |
| (Use as many sheets as necessary) | Art Unit | To be assigned | |
| (Ose as many sheets as necessary) | Examiner Name | To be assigned | |
| Sheet 6 of 6 | Attorney Docket Number | 1556.0360002/RWE/S-G | |

| Examiner Initials* | Cite No. ¹ | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume number, publisher, city and/or country where published |
|-----------------------|--------------------------|---|
| | NPL53 | Museum of the Royal Pharmaceutical Society of Great Britain, "Lozenges and Pastilles," Information Sheet: 4, P G Homan and FRPharmS MCPP, 2 pages (Available online November 2002) |
| | NPL54 | Shrewsbury, R.P., "Pharmaceutics Laboratory," School of Pharmacy, University of North Carolina at Chapel Hill, available online at www.pharmlabs.unc.edu , 9 pages (first available 1996; updated April 2004) |
| | NPL55 | International Search Report for International Application No. PCT/CA2002/01442, European Patent Office, Netherlands, mailed on March 6, 2003 |
| | NPL56 | Written Opinion for International Application No. PCT/CA2002/01442, European Patent Office, Netherlands, mailed on July 29, 2003 |
| | NPL57 | International Preliminary Examination Report for International Application No. PCT/CA2002/01442, European Patent Office, Netherlands, mailed on January 21, 2004 |
| | | |
| | | |
| | | |
| | | |
| | | |
| | | |
| | | |
| | | |
| 765155 1 | | |

Examiner Date Signature Considered

^{*}EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Applicant's unique citation designation number (optional). Applicant is to place a check mark here if English language Translation is attached.

Applicant's unique citation designation number (optional). Applicant is to place a check mark here it English language Translation is attached. This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.